



General Assembly

February Session, 2000

Raised Bill No. 5890

LCO No. 2622

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

An Act Concerning The Number Of Available Paper Ballots When Voting Machines Are Damaged Or For Electors With Disabilities.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-259 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 The moderator of the election in each municipality, voting district or
4 ward shall appear at the office of the municipal clerk not later than
5 eight o'clock p.m. of the day before the election and there receive from
6 the municipal clerk the sample ballot labels, three complete sets of
7 ballot labels and all checklists and other supplies necessary to conduct
8 the election and make return thereof. The moderator shall receive a
9 sealed envelope, and a receipt therefor, containing only the number
10 two and number three election official keys for each voting machine.
11 Each such envelope shall bear the number of the machine to which the
12 keys belong. The number four election official key for each voting
13 machine shall be available to the registrars for the use of the mechanics
14 beginning at 5:15 a.m. on the day of the election. The supplies

15 provided by the municipal clerk to the moderator shall include a
16 number of paper ballots for the purposes of sections 9-263, as amended
17 by this act and 9-264, as amended by this act, which shall be equal to
18 not less than one per cent of the number of electors who are eligible to
19 vote in the voting district served by the moderator. On the morning of
20 the election, the election officials shall meet at the room where the
21 election is to be held at least forty-five minutes before the time for
22 opening the polls. The moderator shall then cause the three sample
23 ballot labels and instruction cards to be posted and everything put in
24 readiness for the commencement of voting at the hour of opening the
25 polls. The envelope containing the keys shall not be opened until at
26 least one election official from each of two political parties is present at
27 the polling place and has examined the envelope to see that it has not
28 been opened. Before opening the envelope, all election officials present
29 shall examine the number of the seal of the machine and the number
30 registered on the protective counter, if one is provided, and shall see if
31 they are the same as the numbers written on the envelope containing
32 the keys. If the numbers are found not to agree, the envelope shall not
33 be opened until the mechanic in charge of the machine, or the
34 registrars or one of the registrars under whose direction the machine
35 was prepared under section 9-243, has been notified and such
36 mechanic, registrars or registrar has appeared at the polling place for
37 the purpose of reexamining such machine and has certified that it is
38 properly arranged. If the numbers on the seal and the protective
39 counter, if one is provided, are found to agree with the numbers on the
40 envelope, the election officials shall proceed to open the doors
41 concealing the counters. The election officials, in the presence of the
42 party watchers, shall compare the ballot labels on the machine with the
43 sample ballot labels to see that they are correct, and, if the machine is
44 not so labeled, set and adjusted and in order, they shall immediately
45 label, set and adjust the same and place it in order, or cause it to be
46 done, examine and see that all the counters in the machine are set at
47 zero (000) and that the machine is otherwise in perfect order and make
48 written report thereof as hereinbefore directed and they shall not

49 thereafter permit the counters to be operated or moved except by
50 electors in voting. If the machine is equipped with a device for printing
51 totals of candidate and question counters, the doors concealing the
52 counters shall not be opened. The election officials shall examine the
53 printed record produced by the machine to see that each counter
54 registers zero and shall allow watchers to examine the printed record.
55 They shall also see that all necessary arrangements and adjustments
56 are made for voting write-in ballots on the machine and that the
57 machine and its attachments are properly set or adjusted so that the
58 elector will be concealed while in the act of voting. There shall be
59 printed directions for the guidance of the election officials before the
60 polls are opened and when the polls are closed. The moderator's return
61 which the moderator receives from the municipal clerk for state
62 elections shall be in a form prescribed by the Secretary of the State.
63 There shall be printed on the moderators' returns a certificate, which
64 shall be signed by the election officials before the polls are opened,
65 showing the delivery of the keys in a sealed envelope; the number on
66 the seal; the number registered on the protective counter, if one is
67 provided; whether all of the counters are set at zero (000); whether the
68 public counter is set at zero (000); whether the ballot labels are
69 properly placed in the machine; also a certificate, which shall be filled
70 out after the polls have been closed, that the machine has been locked
71 against voting and sealed; the number of electors as shown on the
72 public counter; the number on the seal; the number registered on the
73 protective counter, if one is provided, and that the voting machine is
74 closed and locked. The moderators' returns shall show the total
75 number of votes cast for each office, the number of votes cast for each
76 candidate, as shown on his counter, and the number of votes for
77 persons not nominated, which shall be certified by the moderator,
78 checkers and registrars, or assistant registrars, as the case may be. If
79 any of the counters are not set at zero and the election officials are not
80 able to set them at zero, the actual number registered or indicated on
81 such counters shall be entered on such tally sheet, and, at the end of
82 the election, that number shall be deducted from the number then

83 shown on the counter to ascertain the true vote cast for the candidate
84 to whom such counter belongs. The mechanic's seal on the machine
85 shall not be broken until the officials have assembled on the morning
86 of the election. The officials shall examine the seal before breaking it.

87 Sec. 2. Section 9-263 of the general statutes is repealed and the
88 following is substituted in lieu thereof:

89 If any voting machine used in any voting district, during the time
90 the polls are open, becomes damaged so as to render it inoperative in
91 whole or in part, the moderator shall immediately give notice thereof
92 to the registrars of voters under whose direction the machine was
93 prepared under section 9-243 and such registrars, if possible, shall
94 substitute a perfect machine for the damaged machine, and, at the
95 close of the polls, the records of both machines shall be taken and the
96 votes shown on their counters shall be added together in ascertaining
97 and determining the result of the election. If no other machine is in use
98 in the polling place such registrars shall immediately permit the use by
99 the electors of emergency paper ballots [by the electors, which]
100 provided by the municipal clerk to the moderator pursuant to section
101 9-259, as amended by this act. Such ballots shall be received by the
102 election officials and placed by them in a receptacle to be provided
103 therefor and counted with the votes registered on the voting machine
104 and the result declared in the same manner as if there had been no
105 accident to the voting machine. The emergency paper ballot shall be an
106 absentee ballot. Emergency paper ballots shall be cast in the following
107 manner. The elector shall announce his name to the checkers who shall
108 cross his name off the registry list and add it with his address to the
109 end of the official checklist where it shall be designated "Emergency
110 Paper Ballot" or "EPB" and serially numbered. After the elector has so
111 announced his name, the moderator shall deliver to such elector an
112 emergency paper ballot together with the serially numbered envelope.
113 The elector shall forthwith mark the ballot in the presence of the
114 moderator in such manner that the moderator shall not know how the
115 ballot is marked. He shall then fold the ballot in the presence of the

116 moderator so as to conceal the markings and deposit and seal it in the
117 serially numbered envelope. He shall then deliver the envelope to the
118 moderator who shall place it in a specially designated depository
119 envelope. The emergency paper ballots thus received shall be counted
120 at the next scheduled absentee ballot count in the same manner as
121 other absentee ballots, provided no such ballot may be counted unless
122 all provisions of this section have been complied with. Such ballots so
123 counted shall be preserved by replacing them into the special
124 depository envelopes along with a certificate signed by the moderator
125 and registrars of voters setting forth the circumstances under which
126 such emergency paper ballots were cast. Use of emergency paper
127 ballots shall be discontinued immediately upon replacement or repair
128 of at least one machine.

129 Sec. 3. Subsection (b) of section 9-264 of the general statutes is
130 repealed and the following is substituted in lieu thereof:

131 (b) Paper ballots provided by the municipal clerk to the moderator
132 pursuant to section 9-259, as amended by this act, shall be made
133 available for electors with disabilities in polling places in which a
134 voting machine cannot be adjusted to allow all necessary parts to be
135 reached from a chair. Such paper ballots shall be used at the option of
136 the elector with disabilities. The elector shall announce his name to the
137 checkers who shall cross his name off the registry list and add it with
138 his address to the end of the official checklist where it shall be
139 designated "paper ballot for persons with disabilities" or "PBD" and
140 serially numbered. After the elector has so announced his name, the
141 moderator shall deliver to the elector an absentee ballot and a serially-
142 numbered envelope. The elector shall forthwith mark the ballot in the
143 presence of the moderator in such manner that the moderator shall not
144 know how the ballot is marked. The elector shall fold the ballot in the
145 presence of the moderator so as to conceal the markings and deposit
146 and seal it in the serially-numbered envelope. He shall deliver the
147 envelope to the moderator who shall place it in a specially-designated
148 depository envelope. The paper ballots thus received shall be counted

149 at the next scheduled absentee ballot count in the same manner as
150 other absentee ballots. Such ballots so counted shall be preserved by
151 placing them in the depository envelopes with the regular absentee
152 ballots, and such serially-numbered envelopes shall be placed in the
153 depository envelopes with the regular absentee ballot envelopes.

Statement of Purpose:

To ensure that a sufficient number of paper ballots are available at a polling place in the event that all voting machines in a polling place are damaged or for the use of electors with disabilities.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]